



COMMERCE COUNCIL ACTION PACKET

**Tuesday, April 11, 2006
3:30 – 5:30 P.M.
Room 404-HOB**

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

Summary:

Commerce Council

Tuesday April 11, 2006 03:30 pm

HB 159 CS	Favorable	Yeas: 13	Nays: 0
HB 299 CS	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 531 CS	Favorable	Yeas: 12	Nays: 0
HM 541	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 661 CS	Favorable	Yeas: 13	Nays: 0
HB 667 CS	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 789 CS	Favorable With Committee Substitute	Yeas: 12	Nays: 0
HB 817 CS	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 821 CS	Favorable	Yeas: 12	Nays: 0
HB 825 CS	Favorable	Yeas: 13	Nays: 0
HB 1135 CS	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 1211 CS	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 1367	Favorable With Committee Substitute	Yeas: 13	Nays: 0

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Frank Farkas (Chair)	X		
Frank Attkisson	X		
Gus Bilirakis	X		
Ellyn Setnor Bogdanoff	X		
Terry Fields	X		
Kenneth Gottlieb	X		
Edward Jennings	X		
Charlie Justice	X		
Dick Kravitz	X		
Kenneth Littlefield	X		
Dennis Ross	X		
Timothy Ryan	X		
Anthony Traviesa	X		
Trudi Williams			X
Totals:	13	0	1

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

District Office
5621 Banner Drive
Fort Myers, FL 33912
(239) 433-6775
www.myfloridahouse.gov

Capitol Office
402 South Monroe Street, Suite 1404
Tallahassee, FL 32399
(850) 488-2047
Trudi.williams@myfloridahouse.gov

FLORIDA HOUSE OF REPRESENTATIVES

Trudi K. Williams
Representative, District 75

10 April 2006

Representative Frank Farkas
Chairman of Commerce Council
313 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300

Dear Chairman Farkas:

I respectfully request that my absence from the Commerce Council meeting on April 11, 2006 be excused, as I will be unable to attend.

Your favorable consideration for this request is appreciated. Please do not hesitate to contact me should you have any questions.

Sincerely,

Representative Trudi K. Williams
District 75

COMMITTEES
Economic Development, Trade & Banking
Joint Intergovernmental Relations
Water & Natural Resources
Transportation

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 159 CS : Regulation of Real Estate Appraisers

<input checked="" type="checkbox"/> Favorable					
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 299 CS : Travel-Limited Life Insurance Coverage

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

HB 299 CS

Jackie Chase (General Public) - Information Only

Self

3787 Millers Bridge Rd.

Tallahassee FL 32312

Phone: (850) 893-9554

HB 299 CS

Rabbi Schnevr Oirechman - Proponent

2093 Greenwood Dr.

Tallahassee FL 32303

HB 299 CS

Felx Curva, Ph. D. - Proponent

Partner, Curva & Associates

1018 Thomasville Rd., Ste. 105-13

Tallahassee FL 32303

HB 299 CS (Bogdanoff amendment #1)

Abby London - Information Only

Office of Insurance Regulation

200 E. Gaines Street, Suite

Tallahassee FL 32399

Phone: (850) 413-5005

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 299 CS (Bogdanoff amendment #1)

Paul Sanford - Proponent

FIC, ACLI

106 S. Monroe St.

Tallahassee FL 32301

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. HB 299 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Commerce Council
2 Representative(s) Bogdanoff offered the following:

3
4 **Amendment**

5 Remove line(s) 34-41 and insert:

6 2. An insurer may not refuse life insurance to, refuse to
7 continue life insurance of, or limit the amount, extent, or
8 kind of life insurance coverage available to an individual
9 based solely on the individual's future lawful travel plans
10 unless the insurer can demonstrate and the Office of Insurance
11 Regulation determines that:

12 a. Insureds who travel are a separate actuarially
13 supportable class whose risk of loss is different from those
14 insureds who do not travel; and

15 b. Such risk classification is based on sound actuarial
16 principles and actual or reasonably anticipated experience that
17 correlates to the risk of travel to a specific destination.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. HB 299 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
<u>ADOPTED W/O OBJECTION</u>	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Commerce Council
2 Representative(s) Bogdanoff offered the following:

Amendment (with title amendment)

Between line(s) 47 and 48 insert:

6 4. Each Market Conduct Examination of a life insurer,
7 pursuant to s. 627.3161, F.S., shall include a review of every
8 application under which such insurer refused to issue life
9 insurance, refused to continue life insurance, or limited the
10 amount, extent, or kind of life insurance issued, based on
11 future lawful travel plans.

12 5. The administrative fines provided in s. 624.4211(2) and
13 (3), F.S., shall be trebled for violations of this subsection.

14 6. The Office of Insurance Regulation shall report to the
15 legislature by March 1, 2007, and on the same date annually
16 thereafter, on the implementation of this subsection. The
17 report shall include, but not be limited to, the number of
18 applications under which life insurance was denied, continuance
19 was refused, or coverage was limited based on future travel
20 plans, the number of insurers taking such action, and the reason
21 for each such action.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22
23 ===== T I T L E A M E N D M E N T =====
24 Remove line(s) 13 and insert:
25 on emergency conditions and public policy; providing for review
26 of applications; providing for enhanced penalties; requiring an
27 annual report; providing an

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COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 531 CS : Prosperity Campaigns

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan			X		
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 12 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HM 541 : National Catastrophe Insurance Program

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Abby London - Proponent
Office of Insurance Regulation
200 E. Gaines Street
Tallahassee FL 32399
Phone: (850) 413-5005

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. **HM 541**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
<u>ADOPTED W/O OBJECTION</u>	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Council/Committee hearing bill: Commerce Council

2 Representative(s) Bilirakis offered the following:

3
4 **Amendment**

5 Remove line(s) 31 and insert:

6 tornadoes, typhoons, floods, wildfires, ice storms, sinkholes,
7 and other

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COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 661 CS : Governmental Services Telephone Systems

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 667 CS : Credit Counseling Services

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

Bill No. **HB 667 CS**

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	___

Representative(s) Hasner offered the following:

Remove line(s) 30-33 and insert:

creditor on behalf of debtors.

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Page 1 of 1

amend 1 HB 667

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

2

Amendment No. (2)

Bill No. HB 667 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Commerce Council

2 Representative(s) Hasner offered the following:

3
4 **Amendment (with directory and title amendments)**

5 On line 79, after the period insert:

6 However, a creditor contribution may not reduce any sums to be
7 credited to the account of a debtor making a payment to the
8 credit counseling agency for further payment to the creditor.
9
10

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COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 789 CS : Damage Prevention and Safety for Underground Facilities

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz			X		
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 789 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

*See substitute
Amendment*

Council/Committee hearing bill: Commerce Council
Representative(s) Murzin offered the following:

Amendment (with directory and title amendments)

Between line(s) 184 and 185 insert:

(d) The system shall study the feasibility of the
establishment or recognition of zones within which no
underground facilities are located for the purpose of allowing
excavation within such zones to be undertaken without notice to
the system as now required by this act. The system shall report
the results of the study to the Legislature on or before
February 1, 2007, along with recommendations for further
legislative action.

===== T I T L E A M E N D M E N T =====

Remove line(s) 22 and insert:

30 calendar days; requiring a study; requiring a notification
number

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 789 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Adopted w/o obj.

Council/Committee hearing bill: Commerce Council
Representative(s) Littlefield offered the following:

**Substitute Amendment for Amendment (1) by Representative
Murzin (with directory and title amendments)**

Remove line(s) 184-185 and insert:

(d) The system shall study the feasibility of the
establishment or recognition of zones for the purpose of
allowing excavation within such zones to be undertaken without
notice to the system as now required by this act when such zones
are:

1. In areas within which no underground facilities are located,
or

2. Where permanent markings, permit and mapping systems and
structural protection for underwater crossings are required or
in place.

3. For previously marked utilities on construction of one or
two family dwellings where the contractor remains in custody and
control of the building site during the duration of the building
permit.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 The system shall report the results of the study to the
23 Legislature on or before February 1, 2007, along with
24 recommendations for further legislative action.

25
26
27 ===== D I R E C T O R Y A M E N D M E N T =====

28 Remove line(s) and insert:

29
30
31 ===== T I T L E A M E N D M E N T =====

32 Remove line(s) 22 and insert:

33
34 30 calendar days; requiring a study; requiring a notification
35 number

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 817 CS : Telecommunications Carriers of Last Resort

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

Amendment No. (for drafter's use only)

COUNCIL/COMMITTEE ACTION

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION ✓ (Y/N)

FAILED TO ADOPT (Y/N)

WITHDRAWN (Y/N)

OTHER

Representatives Littlefield and Farkas offered the following:

Remove line 109 and insert:

Section 2. Effective upon this act becoming a law, subsections (5), (6), and (7) of section 364.051, Florida Statutes, are amended to read:

364.051 Price regulation.--

(5) NONBASIC SERVICES.--Price regulation of nonbasic services shall consist of the following:

(a) Each company subject to this section shall, at its option, maintain tariffs with the commission or otherwise publicly publish ~~containing~~ the terms, conditions, and rates for each of its nonbasic services, and may set or change, on 1 day's ~~15 days'~~ notice, the rate for each of its nonbasic services, except that a price increase for any nonbasic service category shall not exceed 6 percent within a 12-month period until there is another provider providing local telecommunications service in an exchange area at which time the price for any nonbasic service category may be increased in an amount not to exceed 20

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

percent within a 12-month period, and the rate shall be presumptively valid. However, for purposes of this subsection, the prices of:

1. A voice-grade, flat-rate, multi-line business local exchange service, including multiple individual lines, centrex lines, private branch exchange trunks, and any associated hunting services, that provides dial tone and local usage necessary to place a call within a local exchange calling area; and

2. Telecommunications services provided under contract service arrangements to the SUNCOM Network, as defined in chapter 282,

shall be capped at the rates in effect on July 1, 1995, and such rates shall not be increased prior to January 1, 2000; provided, however, that a petition to increase such rates may be filed pursuant to subsection (4) utilizing the standards set forth therein. There shall be a flat-rate pricing option for multi-line business local exchange service, and mandatory measured service for multi-line business local exchange service shall not be imposed. Nothing contained in this section shall prevent the local exchange telecommunications company from meeting offerings by any competitive provider of the same, or functionally equivalent, nonbasic services in a specific geographic market or to a specific customer by deaveraging the price of any nonbasic service, packaging nonbasic services together or with basic services, using volume discounts and term discounts, and offering individual contracts. However, the local exchange telecommunications company shall not engage in any

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

51 anticompetitive act or practice, nor unreasonably discriminate
52 among similarly situated customers.

53 (b) The commission shall have continuing regulatory
54 oversight of nonbasic services for purposes of ensuring
55 resolution of service complaints, preventing cross-subsidization
56 of nonbasic services with revenues from basic services, and
57 ensuring that all providers are treated fairly in the
58 telecommunications market. The cost standard for determining
59 cross-subsidization is whether the total revenue from a nonbasic
60 service is less than the total long-run incremental cost of the
61 service. Total long-run incremental cost means service-specific
62 volume and nonvolume-sensitive costs.

63 (c) The price charged to a consumer for a nonbasic service
64 shall cover the direct costs of providing the service and shall,
65 to the extent a cost is not included in the direct cost, include
66 as an imputed cost the price charged by the company to
67 competitors for any monopoly component used by a competitor in
68 the provision of its same or functionally equivalent service.

69 (6) After a local exchange telecommunications company that
70 has more than 1 million access lines in service has reduced its
71 intrastate switched network access rates to parity, as defined
72 in s. 364.164(5), the local exchange telecommunications
73 company's ~~basic local telecommunications service may, at the~~
74 ~~company's election, be subject to the same regulatory treatment~~
75 ~~as its nonbasic services. The company's~~ retail service quality
76 requirements that are not already equal to the service quality
77 requirements imposed upon the competitive local exchange
78 telecommunications companies shall at the company's request to
79 the commission ~~thereafter~~ be no greater than those imposed upon
80 competitive local exchange telecommunications companies unless

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

the commission, within 120 days after the company's request ~~election~~, determines otherwise. In such event, the commission may grant some reductions in service quality requirements in some or all of the company's local calling areas. The commission may not impose retail service quality requirements on competitive local exchange telecommunications companies greater than those existing on January 1, 2003.

(7) After ~~If~~ a local exchange telecommunications company that has more than 1 million access lines in service has reduced its intrastate switched network access rates to parity, as defined in s. 364.164(5) ~~elects, pursuant to subsection (6), to subject its retail basic local telecommunications services to the same regulatory treatment as its nonbasic services,~~ the local exchange telecommunications company may petition the commission for regulatory treatment of its retail services at a level no greater than that imposed by the commission upon competitive local exchange telecommunications companies. The local exchange telecommunications company shall:

(a) Show that granting the petition is in the public interest;

(b) Demonstrate that the competition faced by the company is sufficient and sustainable to allow such competition to supplant regulation by the commission; and

(c) ~~(b)~~ Reduce its intrastate switched network access rates to its local reciprocal interconnection rate upon the grant of the petition.

The commission shall act upon such a petition within 9 months after its filing with the commission. ~~In making its determination to either grant or deny the petition, the~~

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

~~commission shall determine the extent to which the level of
competition faced by the local exchange telecommunications
company permits and will continue to permit the company to have
its retail services regulated no differently than the
competitive local exchange telecommunications companies are then
being regulated.~~ The commission may not increase the level of
regulation for competitive local exchange telecommunications
companies to a level greater than that which exists on the date
the local exchange telecommunications company files its
petition.

Section 3. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove lines 6 and 7 and insert:

An act relating to telecommunications service regulation;
amending s. 364.051, F.S., relating to price regulation;
allowing certain local exchange telecommunications
companies to publish terms, conditions, and rates for
nonbasic services in lieu of maintaining tariffs with the
Public Service Commission; revising the notice requirement
for price changes to nonbasic services; removing a
provision that allows a company to elect that its basic
services be subject to the same regulatory treatment as
its nonbasic services; providing for a request from a
company to the Public Service Commission to make certain
reductions in its retail service quality requirements;
revising criteria for granting a petition to change

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

140 regulatory treatment of retail services; amending s.
141 364.025, F.S.; providing definitions;

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COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 821 CS : Community Contribution Tax Credit Program

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields				X	
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 12 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 825 CS : Financial Literacy Council

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 1135 CS : Practice of Architecture and Interior Design

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. **HB 1135 W/ CS**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill:

Representative(s) Hukill offered the following:

Strike all amendment (with title amendment)

Remove all line(s) after the enacting clause and insert:

Section 1. Subsection (16) is added to section 481.203, Florida Statutes, to read:

481.203 Definitions.--As used in this part:

(16) "Responsible supervising control" means the exercise of direct personal supervision and control throughout the preparation of documents, instruments of service, or any other work requiring the seal and signature of a licensee under this part.

Section 2. Subsection (4) is added to section 481.205, Florida Statutes, to read

481.205 Board of Architecture and Interior Design.--

(4) The board may establish by rule minimum procedures, documentation, and other requirements for indicating evidence of the exercise of responsible supervising control by a person

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

21 licensed under this part in connection with work performed both
22 inside and outside the licensee's office.

23 Section 3. Subsection (1) of section 481.223, Florida
24 Statutes, is amended to read: 481.223 Prohibitions; penalties;
25 injunctive relief.--

26 (1) A person may not knowingly:

27 (a) Practice architecture unless the person is an
28 architect or a registered architect; however, a licensed
29 architect who has been licensed by the board and who chooses to
30 relinquish or not to renew his or her license may use the title
31 "Architect, Retired" but may not otherwise render any
32 architectural services.+

33 (b) Practice interior design unless the person is a
34 registered interior designer unless otherwise exempted herein;
35 however, an interior designer who has been licensed by the board
36 and who chooses to relinquish or not to renew his or her license
37 may use the title "Interior Designer, Retired" but may not
38 otherwise render any interior design services.

39 (c) Use the name or title "architect" or "registered
40 architect," or "interior designer" or "registered interior
41 designer," or words to that effect, when the person is not then
42 the holder of a valid license issued pursuant to this part.+

43 (d) Present as his or her own the license of another.+

44 (e) Give false or forged evidence to the board or a member
45 thereof.+

46 (f) Use or attempt to use an architect or interior
47 designer license that has been suspended, revoked, or placed on
48 inactive or delinquent status.+

49 (g) Employ unlicensed persons to practice architecture or
50 interior design. ~~+~~ or

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

51 (h) Conceal information relative to violations of this
52 part.

53 Section 4. This act shall take effect July 1, 2006.
54

55
56 ===== T I T L E A M E N D M E N T =====

57 Remove line(s) 8-12 and insert:
58 the term "responsible supervising control"; amending s. 481.205,
59 F.S.; authorizing the Board of Architecture and Interior Design
60 to adopt certain rules; amending s. 481.223, F.S.; authorizing
61 certain architects to use the title "Architect, Retired";
62 authorizing certain interior designers to use the title
63 "Interior Designer, Retired"; providing an effective date.

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COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 1211 CS : Notification Regarding the State Minimum Wage

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. **HB 1211 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED	— (Y/N)
ADOPTED AS AMENDED	— (Y/N)
ADOPTED W/O OBJECTION	✓ (Y/N)
FAILED TO ADOPT	— (Y/N)
WITHDRAWN	— (Y/N)
OTHER	—

(Handwritten signature/initials)

1 Council/Committee hearing bill: Commerce Council

2 Representative(s) Fields offered the following:

3
4 **Amendment**

5 On line 87, replace the term:

6 "July"

7 with the term

8 "January"

9
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COUNCIL MEETING REPORT

Commerce Council

4/11/2006 3:30:00PM

Location: 404 HOB

HB 1367 : Contracting Exemptions

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Attkisson	X				
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Terry Fields	X				
Kenneth Gottlieb	X				
Edward Jennings	X				
Charlie Justice	X				
Dick Kravitz	X				
Kenneth Littlefield	X				
Dennis Ross	X				
Timothy Ryan	X				
Anthony Traviesa	X				
Trudi Williams			X		
Frank Farkas (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 6:14:18PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 1367

COUNCIL/COMMITTEE ACTION

ADOPTED ☒ (Y/N)
ADOPTED AS AMENDED ☐ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT ☐ (Y/N)
WITHDRAWN ☐ (Y/N)
OTHER ☐

A w/o obj

Council/Committee hearing bill:

Representative(s) Evers offered the following:

Amendment (with directory and title amendments)

Between lines 152-153 insert:

Section 3. Paragraph (b) of subsection (1) of section 489.128, F.S., is amended to read:

489.128 Contracts entered into by unlicensed contractors unenforceable.-

(1)

(b) For purposes of this section, an individual or business organization may ~~shall~~ not be considered unlicensed for failing to have an occupational license certificate issued under the authority of chapter 205. A business organization may ~~shall~~ not be considered unlicensed for failing to have a certificate of authority as required by ss. 489.119 and 489.127. For purposes of this section, a business organization entering into the contract may not be considered unlicensed if, before the date established by paragraph (c), an individual possessing a license required by this part concerning the scope of the work

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 to be performed under the contract had submitted an application
23 for a certificate of authority designating that individual as a
24 qualifying agent for the business organization entering into the
25 contract, and the application was not acted upon by the
26 department or applicable board within the applicable time
27 limitations imposed by s. 120.60.

28 Section 4. Section 3 is intended to be remedial in nature
29 and to clarify existing law. Section 3 applies retroactively to
30 all actions, including any action on a lien or bond claim,
31 initiated on or after, or pending as of, July 1, 2006. If the
32 retroactivity of any provision of section 3 or its retroactive
33 application to any person or circumstance is held invalid, the
34 invalidity does not affect the retroactivity or retroactive
35 application of other provisions of section 3.

36
37 ===== T I T L E A M E N D M E N T =====

38 On line 9 after the semi-colon insert:
39 amending s. 489.128, F.S.; providing that a business
40 organization entering into a construction contract is not deemed
41 unlicensed under certain conditions; providing for retroactive
42 application;

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